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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,515	08/28/2001	, Eliyahu Marmor	018/02357	7272

			EXAMINER
44909	7590	03/29/2005	NAJJAR, SALEH

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 November 2004</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-50</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-50</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1. This action is responsive to the amendment filed on November 18, 2004. Claims 1, 4-5, 10, 12-16, 18, 20-21, and 23-45 were amended. Claims 47-50 are newly added. Claims 1-50 are pending.

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-50 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Taking claim 1 as an exemplary claim, the specification does not describe the limitation wherein "data source has a limited access to a client". The specification does not describe the limitation of "displaying the modified information at the client using a standard web browser without requiring user intervention to facilitate downloading or activation of viewers for said information". In claims 47-50, the specification does not clearly describe the limitation wherein "said requesting and said displaying do not use any software which is of a type inherently capable of interaction with the client station other than for input handling and display". The specification also does not describe the limitation wherein " said information is not encrypted prior to said displaying". Appropriate correction is requested.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Taking claim 1 as an exemplary claim, the limitation wherein "data source has a limited access to a client" is unclear. The limitation of "displaying the modified information at the client using a standard web browser without requiring user intervention to facilitate downloading or activation of viewers for said information" is unclear. In claims 47-50, the limitation wherein "said requesting and said displaying do not use any software which is of a type inherently capable of interaction with the client station other than for input handling and display" is unclear. The limitation wherein " said information is not encrypted prior to said displaying" is unclear. Appropriate correction is requested.

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-3, 5-20, 22-29, 31-34, and 37-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabne et al., U.S. Patent No. 6,006,332, in view of Tso et al., U.S. Patent No. 6,185,625.

Rabne teaches the invention substantially as claimed including a rights management system for digital media (see abstract).

As to claim 1, Rabne teaches a method for controlling the viewing of copyrighted information, transmitted from a data source to a client, on the Internet, comprising:

transmitting information from the data source to a server which data source has limited access, wherein said information is in a format suitable for viewing by the client

(see fig. 1b; col. 10, lines 15-60, Rabne discloses that information is sent from the data source to the RM server);

converting the information, at the server, to a modified form (see figs. 1-2; col. 20, lines 20-40, Rabne discloses that information may be modified by including a watermark as an example);

transmitting the modified form of the information to the client (see col. 20, lines 20-40, Rabne discloses that the modified information is transmitted to the client); and

displaying the modified information at the client using a standard web browser without requiring user intervention to facilitate downloading or activation of viewers for said information (see figs. 1-15; col. 17-18, Rabne discloses that there is no installation requirement for launching the browser beyond downloading and automatically executing the browser);

wherein said conversion to a modified form makes said modified information less available to copying by said client when displayed, while still being accessible to a human when displayed (see col. 18, lines 20-60, Rabne discloses that the information is viewable but less susceptible to copying when downloaded by the client).

Rabne fails to teach the limitation of a proxy. Rabne discloses that modifications to information are done at the RM server (se col. 18, lines 20-60).

However, Tso teaches a scaling proxy server that modifies requested objects requested by the clients in accordance with the user's preferences (see abstract). Tso discloses that a proxy modifies the requested data (see figs. 2-7; col. 4-6, Tso discloses that a scaling proxy is used to modify information requested by the client).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rabne so that a proxy is used to modify information requested by the client as in Tso. One would be motivated to do so to protect a LAN from unauthorized access over the Internet.

As to claim 2, Rabne teaches the method of claim 1 above, wherein said format of said information is a format used on the Internet (see col. 14-20).

As to claim 3, Rabne teaches the method of claim 1 above wherein the information is in HTML format (see col. 7-14).

As to claim 5, Rabne teaches the method of claim 2 wherein said displaying comprises displaying by a server provided program (see co. 7-20, Rabne discloses that a special browser program is downloaded to the client for displaying the information requested).

As to claim 6, Rabne teaches the method of claim 5, wherein said program requires a live connection with said server (see col. 7-20).

As to claim 7, Rabne teaches the method according to claim 5, wherein said program is downloaded from the server (see col. 7-20).

As to claim 8, Rabne teaches the method of claim 5 above comprising authenticating the server-provided program to the server (see col. 11-14).

As to claim 9, Rabne teaches the method of claim 5 above, wherein said converting comprises converting said information to a form unusable by said client without said server-provided program (see col. 10-14, Rabne discloses that the information is encrypted such that no other than the rights management browser can decrypt the information).

As to claim 10, Rabne teaches the method according to any of claims 1-3 above, wherein said converting comprises additionally encrypting (see col. 10-14).

As to claim 11, Rabne teaches the method according to any of claims 1-3 above, wherein said converting the information comprises converting only a portion of the information (see col. 10-14).

As to claim 12, Rabne teaches the method according to any of claims 1-3, wherein said converting comprises additionally encoding the information and wherein said information is at least partially decoded before displaying it (see col. 10-14).

As to claims 13-14, Rabne teaches the method of claim 1 above.

Rabne fails to teach the limitation wherein said converting comprises modifying some of the information so that the displayed information differs from the original in format.

However, Tso teaches a scaling proxy server that modifies requested objects requested by the clients in accordance with the user's preferences (see abstract). Tso discloses that encoding and decoding comprises modifying some of the information so

that the displayed information differs from the original in format (see col. 14, Tso discloses that the information requested may be sent in a format different from that of the original).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rabne so that information is encoded and decoded so that it is displayed in a format different from that of the original. One would be motivated to do so to prevent the client from downloading an alternative decoder.

As to claim 15, Rabne teaches the method of claim 1 above.

Rabne fails to teach the limitation wherein said server acts as a proxy server to transparently convert and transmit the requested information to the client without requiring substantial changes to said data source.

However, Tso teaches a scaling proxy server that modifies requested objects requested by the clients in accordance with the user's preferences (see abstract). Tso discloses that a proxy transparently encodes the requested data (see figs. 2-7; col. 4-6, Tso discloses that a scaling proxy is used to encode information requested by the client).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rabne so that a proxy is used to transparently convert information requested by the client as in Tso. One would be motivated to do so to protect a LAN from unauthorized access over the Internet.

As to claim 16, Rabne teaches the method of claim 15 above, wherein said server does not require substantial changes in said client (see col. 6-14).

Rabne fails to teach the limitation of a proxy. Rabne discloses that modifications to information are done at the RM server (se col. 18, lines 20-60).

However, Tso teaches a scaling proxy server that modifies requested objects requested by the clients in accordance with the user's preferences (see abstract). Tso discloses that a proxy modifies the requested data (see figs. 2-7; col. 4-6, Tso discloses that a scaling proxy is used to modify information requested by the client).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rabne so that a proxy is used to modify information requested by

the client as in Tso. One would be motivated to do so to protect a LAN from unauthorized access over the Internet.

As to claims 17-19, Rabne teaches the method of claim 1, wherein said transmitting is in response to said client request, and wherein said server performs conversion on demand by the data source, and wherein said information is compiled from multiple sources at the data source (see figs. 1-15; col. 10-20).

As to claim 20, Rabne teaches the method of claim 1, wherein said conversion modifies at least one text object to at least one non-text object (see col. 20, Rabne discloses that text objects in a browser window transmitted from the source server may be grayed out).

As to claim 22, Rabne teaches the method of claim 19, wherein said source is a web server (see col. 10-20).

As to claim 23, Rabne teaches the method of claim 1, wherein said conversion reduces the ability of intercepting said information (see col. 9-14).

Claims 24-29, 31-34, 37-46 do not teach or define any new limitations above claims1-3, 5-12, 13-20, 22-23 and therefore are rejected for similar reasons.

As to claim 47, Rabne teaches the method according to claim 28, comprising requesting said information from said data source, wherein said requesting and said displaying do not use any software which is of a type inherently capable of interaction with said client station other than for input handling and display (see col. 15-18, Rabne discloses that RMc browser automatically launches an applet for viewing content).

As to claims 48-50, Rabne teaches the method of claims 1, 24, and 28 wherein said information is not encrypted prior to displaying (see col. 15-18).

6.   Claims 4 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabne in view of Tso and further in view of Chaddha et al, U.S. Patent No. 5,621,660.

Rabne teaches the invention substantially as claimed including a rights management system for digital media (see abstract).

As to claim 4, Rabne teaches method of claims 1-3 above wherein said modifying comprises hindering copying of the information (see col. 17-20, Rabne

discloses that the ability to clip/ or download information is hindered by the downloaded browser).

The combination of Rabne and Tso do not teach the limitation of temporally modulating the display of the information.

However, Chaddha teaches a software-based encoder for software implemented end to end scalable video delivery system (see abstract). Chaddha teaches temporally modulating a high resolution data object to lower resolution object (see col. 4-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Rabne and Tso by including the temporal modulation as taught by Chaddha to prevent copyrights infringements.

Claim 30 do not teach or define any new limitations above claim 4 and therefore is rejected for similar reasons.

7.   Claims 21, and 35-36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rabne in view of Tso and further in view of Gerace, U.S. Patent No. 5,991,735.

Rabne teaches the invention substantially as claimed including a rights management system for digital media (see abstract).

As to claims 21, 35 and 36, Rabne teaches the method of claim 1 above.

The combination of Rabne and Tso fail to teach the limitation wherein said encoding converts at least part of a static object to a dynamic object.

However, Gerace teaches a system and method for customized web page display to users based on user's behavior (see abstract). Gerace teaches wherein said modifying converts at least part of a static object to a dynamic object and inserting advertisements (see col. 14-15, Gerace teaches that a static entry in a client's portfolio is encode such that a flickering screen ticker appears to the client viewing the stocks web page).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Rabne and Tso in view of Gerace to affect conversion of static content to dynamic content. One would be motivated to do so to target users having an interest in particular information.

Claims 35-36 do not teach or define any new limitations above claim 21 and therefore are rejected for similar reasons.

8.   Applicant's arguments filed November 18, 2004 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that; A) Rabne does not meet the limitation of performing modification of information to make information less available for copying while still being accessible to a human when displayed; B) Rabne reference does not teach the limitation of not requiring user intervention for software; C) Rabne does not teach a proxy and that the Tso reference is a non-analogous art for modifying the Rabne reference; D) that several limitations such as temporal modulation, converting static to dynamic objects and inserting advertisements.

In response to A); the Rabne reference reads on the claimed limitations of performing modification of information to make information less available for copying while still being accessible to a human when displayed, particularly and in reference to col. 10-13, and 18 of the Rabne reference, the launch pad and RMc browser can be implemented from a regular web browser such the launching of the RMc browser is automatically performed and therefore reads on the above limitations of the claim.

In response to B); the limitation of not requiring user intervention for software is unclear and was rejected under 35 U.S.C. 112, first paragraph and under 35 U.S.C. 112, second paragraph. As best understood by the Examiner, the Applicant is referred to col. 10-12, and 18 of the Rabne reference which discloses that the launching of the RMc browser is automatically perfomed.

In response to C); The In response to applicant's argument that the Tso reference is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Tso discloses that modifications to content requested from the Internet is modified at the proxy server (see above rejection Rabne

in view of Tso). The Tso reference was simply used as disclosing that a proxy can be used to modify information requested from the Internet. The Rabne and Tso references are both involved in requesting content/electronic works from an Origin server through the Internet and therefore considered as analogous art by the Examiner.

In response to D); the Applicant is referred to page 4, and 6-7 of the previous office action. The Applicant's representative raised no issue, in his response to first Office Action in regards to the Chaddha and Gerace references. The rejections of the above claims are repeated in this Office Action.

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (571)272-4006. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
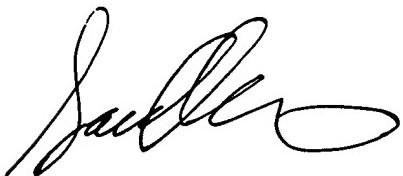
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